



UNITED STATES ENVIRONMENTAL PROTECTION  
AGENCY  
REGION 10

1200 Sixth Avenue, Suite 155  
Seattle, WA 98101-3123

OFFICE OF  
WATER AND  
WATERSHEDS

APR 04 2019

Ritchie J. Graves, Chief  
Columbia Hydropower Branch  
Interior Columbia Basin Office  
NOAA Fisheries, West Coast Region  
1201 NE Lloyd Boulevard, Suite 1100  
Portland, Oregon 97232-1274

Re: The U.S. Environmental Protection Agency Request to Initiate Formal ESA Consultation for the Agency's Proposed Action on Idaho Water Quality Standards – Revised Idaho Water Quality Standard for Temperature for the Snake River Below the Hells Canyon Dam to its Confluence with the Salmon River

Dear Mr. Graves:

In accordance with the Endangered Species Act (50 CFR 402.14(c)), please find the enclosed Biological Evaluation (BE) for the *Idaho Water Quality Standards – Revised Idaho Water Quality Standard for Temperature for the Snake River Below the Hells Canyon Dam to its Confluence with the Salmon River*. By this transmittal of the BE, the EPA requests initiation of formal ESA consultation with the National Marine Fisheries Service.

Section 7 of the ESA requires that every federal agency consult with the National Marine Fisheries Services and U.S. Fish and Wildlife Service to ensure that any federally authorized action is not likely to jeopardize the continued existence of any listed species or destroy or adversely modify designated critical habitat. The Idaho Department of Environmental Quality (DEQ) adopted revisions to its site-specific temperature criteria (SSC) to protect salmonid spawning for the reach of the Snake River below Hells Canyon Dam complex to its confluence with the Salmon River. The SSC applies from October 23 to April 15. The revised SSC, submitted by DEQ on June 8, 2012, to the EPA for review and action under the Clean Water Act includes an increase to the magnitude of the criterion for the first two weeks of this period, or October 23 to November 6. The BE evaluates the potential for adverse effects from the EPA's proposed approval of this revision.

The EPA has determined that the proposed approval action may affect, but is not likely to adversely affect, Snake River Sockeye, Snake River Steelhead, and Snake River Spring/Summer Chinook and its designated critical habitat. We request your concurrence with these determinations.

As described in the enclosed BE, the EPA has found that the Agency's proposed action to approve the revised water quality standard is likely to adversely affect listed species and critical habitat within the action area, including Snake River fall-run Chinook and its designated critical habitat, and the Southern Resident Killer Whales. Therefore, we request initiation of formal consultation under Section 7 of the ESA on these species.

The analysis of potential effects associated with the proposed action on ESA-listed species and critical habitat are discussed in the enclosed BE, and the EPA's determinations are summarized in Table 7.1.

We respectfully request your agreement to initiate formal consultation within 30 days of your receipt of this letter. As described in the duration and extension of formal consultation section at 50 CFR 402.14(e), we anticipate receiving the biological opinion from NMFS within 135 days of initiating formal consultation. If an extension is necessary, procedures in this section will be followed.

We appreciate the technical support from your staff, including providing review comments on the draft BE. We believe the enclosed document has addressed the NMFS' questions and recommendations. If you require additional information, please contact Rochelle Labiosa, the Water Quality Standards staff lead at (206) 553-1172 or [labiosa.rochelle@epa.gov](mailto:labiosa.rochelle@epa.gov).

Sincerely,



Hanh Shaw, Manager  
Water Quality Standards Unit

Enclosure: *Idaho Water Quality Standards – Revised Idaho Water Quality Standard for Temperature for the Snake River Below the Hells Canyon Dam to its Confluence with the Salmon River*

cc (via electronic transmission): Bill Lind, NOAA  
Johnna Sandow, NOAA